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Northern Plains Resource Council Convention (2)

Max S. Baucus

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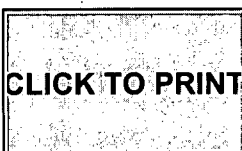
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(2) Subject* **Northern Plains Resource Council Convention**

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BAUCUS

✓ SPEECH BY SENATOR MAX BAUCUS
BEFORE THE
NORTHERN PLAINS RESOURCE COUNCIL CONVENTION
BILLINGS, MONTANA
NOVEMBER 14, 1981

THE LAST TEN YEARS HAVE BEEN A TUMULTUOUS, EXCITING DECADE OF GROWTH AND PROGRESS FOR THE NORTHERN PLAINS RESOURCE COUNCIL. IN MANY WAYS, NPRC AND I HAVE BEEN SIDE-KICKS THROUGH THE 70s, EACH OF US LEARNING TO CARE FOR AND PROTECT THE LAND WE LOVE.

LIKE ANY FRIENDSHIP, OURS HAS HAD ITS ROCKY STRETCHES. I'M SURE I'VE FRUSTRATED YOU AS MANY TIMES AS YOU HAVE RETURNED THE FAVOR! BUT WITH THE YEARS HAS COME THE BOND OF SHARED EXPERIENCES AND THE WISDOM OF TIME.

EARLIER TODAY, HOWEVER, AS I LOOKED OVER THE ROSTER OF PAST NPRC CHAIRMEN, I HAD THE FEELING THAT MAYBE YOU'D GOTTEN THE LONG END OF THE STICK WHEN IT COMES TO WISDOM.

MEN LIKE DICK COLBERG, BOB TULLY, WALLY McRAE, CHARLIE YARGER, AND BILL MCKAY, AND WOMEN LIKE ANNE CHARTER AND HELEN WALLER HAVE BROUGHT TO THE NORTHERN PLAINS RESOURCE COUNCIL A GUTSINESS AND AN UNDERSTANDING OF THE LAND. WITH THE ASSISTANCE OF A SUPERB STAFF, THEY HAVE SERVED YOU, AND ALL OF US, WELL.

SO WITH THE PRIDE OF AN OLD FRIEND, I CONGRATULATE ALL OF YOU, THE PEOPLE WHO HAVE MADE NPRC, ^{AS} MONTANA'S CONSCIENCE IN THE DECISIONS THAT SHAPE THE FUTURE OF OUR STATE.

YET, WHILE YOU DESERVE PRAISE, THERE IS NO TIME TO BASK IN IT. FOR WHILE THE 70s PRODUCED A GENERATION OF CITIZENS COMMITTED TO THE STEWARDSHIP OF OUR NATURAL RESOURCES, THE 80s

HAVE GIVEN US A NEW WAVE OF RADICALS.

UNLIKE THE EXTREMISTS OF AN EARLIER DAY, THESE RADICALS ARE DRESSED IN BROOKS BROTHERS SUITS INSTEAD OF RAGGED JEANS. AND INSTEAD OF CARRYING PLACARDS, THEY'RE TOTING SHEAFS OF COST/BENEFIT ANALYSES TO JUSTIFY UNCHECKED DEVELOPMENT AT ANY PRICE.

NO WHERE IS THIS NEW RADICALISM MORE APPARENT THAN IN THE REAUTHORIZATION OF THE CLEAN AIR ACT. NO WHERE IS IT MORE CLEAR THAT THESE SOPHISTICATED RADICALS ARE OUT OF STEP WITH THE MAINSTREAM OF AMERICA.

ARMED WITH A QUESTIONABLE MANDATE FOR REGULATORY REFORM AND A BALANCED BUDGET, THESE NEW RADICALS HAVE COME TO CONGRESS TO SUGGEST THAT THE PREMIERE PUBLIC HEALTH ACT, THE CLEAN AIR ACT, NEEDS A LITTLE COSMETIC SURGERY.

THAT IS A POSITION I HAPPEN TO SHARE. BUT WE SEEM TO PART COMPANY ON THE ~~QUESTION OF THE~~ TECHNIQUE ~~OF THIS OPERATION~~. I BELIEVE IT REQUIRES THE SKILLFUL USE OF A LEGISLATIVE SCALPEL, NOT THE MEAT AXE OFFERED BY THESE EXTREMISTS.

UNFORTUNATELY, THE EVIDENCE CONTINUES TO MOUNT, THAT EFFORTS TO GUT THE ACT ARE BEING FOSTERED BY THE ADMINISTRATION. AS A NEW MEMBER OF THE SENATE ENVIRONMENT AND PUBLIC WORKS COMMITTEE, I'VE BEEN FOLLOWING THIS SCENARIO CLOSELY SINCE LAST JANUARY.

LET'S LOOK AT THE RECORD. BEGINNING LAST APRIL, THE COMMITTEE GATHERED TESTIMONY ON THE CLEAN AIR ACT. AN EXHAUSTIVE SERIES OF HEARINGS WERE HELD ACROSS THE COUNTRY, INCLUDING A FIELD HEARING HERE IN BILLINGS AT WHICH REPRESENTATIVES OF THE NORTHERN PLAINS RESOURCE COUNCIL TESTIFIED.

WHILE THE NEED FOR FINE TUNING THE ACT BECAME EVIDENT, THE

MORE IMPORTANT CONCLUSION DRAWN FROM THE TESTIMONY OF HUNDREDS OF WITNESSES IS THAT THE ACT WORKS. IN A HUNDRED DIFFERENT WAYS, WITNESSES GENERALLY CONCURRED WITH THE NATIONAL COMMISSION ON AIR QUALITY STATEMENT:

"THE COMMISSION'S RECOMMENDATIONS REFLECT A GENERAL CONCLUSION THAT THE STRUCTURE OF THE CLEAN AIR ACT IS SOUND AND NEEDS REFINEMENT INSTEAD OF FUNDAMENTAL CHANGE... THE PROGNOSIS FOR THE 1980S REFLECTS A NEED FOR THE CONTROL OF AIR POLLUTION TO BE A CONTINUED NATIONAL PRIORITY."

IN SHORT, THE ACT HAS RESULTED IN A CONSISTENT IMPROVEMENT OF AIR QUALITY WITH ACCOMPANYING BENEFITS TO PUBLIC HEALTH AND WELL BEING.

WITH THIS BACKGROUND, YOU CAN UNDERSTAND MY CONCERN WHEN THE PRESIDENT APPOINTED AS ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY, A WOMAN WHO HAD NO DEMONSTRATED CONCERN FOR CLEAN AIR AND CLEAN WATER.

SINCE TAKING OFFICE IN MAY, MRS. GORSUCH HAS FULFILLED MY WORST FEARS. BUDGET CUT HAS BEEN HEAPED ON BUDGET CUT AT EPA. FOR FY 1983, MRS. GORSUCH HAS EVEN VOLUNTEERED TO SLASH THE AGENCY ANOTHER 20 PERCENT AT A TIME WHEN DEMANDS OF NEW LEGISLATION SUCH AS SUPERFUND AND THE TOXIC SUBSTANCES CONTROL ACT ARE JUST BEING FELT. MOREOVER, THE CLEAN AIR ACT IS OF LITTLE VALUE WITHOUT AN AGENCY STRONG ENOUGH TO ENFORCE IT.

EPA HAS PROMISED CLEAN AIR ACT DRAFTS, AND THOSE PROMISES HAVE BEEN RENEGED. INSTEAD, DRAFT BILLS HAVE BEEN LEAKED OUT AND THEIR EXISTENCE DENIED. AND NOW WE HAVE BEEN HANDED 11 "PRINCIPLES" FOR THE REVISION OF THE ACT FULLY LAID OUT IN A ONE

AND A HALF PAGE PRESS RELEASE!

EPA

AND IF THAT WEREN'T ENOUGH, LAST WEEK 38 POINTS OF REVISION SUDDENLY APPEARED IN SELECTED SENATORS' OFFICES. ALTHOUGH I WASN'T ONE OF THE LUCKY FEW TO RECEIVE A COPY, I AM TOLD BY THE ASSISTANT ADMINISTRATOR OF EPA THAT THIS WAS AN "UNOFFICIAL DOCUMENT OFFICIALLY DELIVERED."

IF THAT PUZZLES YOU, I CAN ASSURE YOU THAT WE ARE IN THE SAME BOAT.

FRANKLY, I BELIEVE IT IS TIME FOR EVERYONE INVOLVED TO QUIT PLAYING ~~THEIR~~ ^{HIS} HAND CLOSE TO THE VEST AND LAY ~~THEIR~~ ^{HIS} CARDS ON THE TABLE.

write phrase

ON ONE SIDE OF THE TABLE YOU WOULD SEE A FULL HOUSE OF SPECIAL INTEREST AMENDMENTS, TACITLY ENDORSED BY THE ADMINISTRATION. TAKEN SEPARATELY, THEY ARE INNOCUOUS. BUT TOGETHER, THEY DICTATE A RADICAL ATTACK ON THIS CRITICAL PUBLIC HEALTH MEASURE.

ON THE OTHER SIDE OF THE TABLE, IS THE REAL ACE IN THE HOLE, ~~HOWEVER~~ THAT CARD IS THE VOICE OF THE AMERICAN PEOPLE SAYING "NO" TO A WEAKENING OF THE ACT.

NATIONAL POLLSTER LOU HARRIS MAKES THIS POINT CLEARLY.

LISTEN TO HIS TESTIMONY BEFORE A HOUSE COMMITTEE:

"BY 80 TO 17 PERCENT, A SIZEABLE MAJORITY OF THE PUBLIC DOES NOT WANT TO SEE ANY RELAXATION IN EXISTING FEDERAL REGULATION OF AIR POLLUTION. I AM NOT AN EXPERT ON THIS LEGISLATION, NOR ON THE SUBJECT OF ENVIRONMENTAL REGULATION, BUT I CAN TELL YOU THIS: THIS MESSAGE ON THE DEEP DESIRE ON THE PART OF THE AMERICAN PEOPLE TO BATTLE POLLUTION IS ONE OF THE MOST OVERWHELMING AND

CLEAREST WE HAVE EVER RECORDED IN OUR TWENTY-FIVE YEARS OF SURVEYING PUBLIC OPINION."

AN INTERESTING ASIDE TO THE HARRIS SURVEY IS THAT, REGIONALLY, WESTERNERS LEAD THE WAY IN BACKING A TOUGH CLEAN AIR LAW.

DON'T GET ME WRONG. I AM NOT AN ADVOCATE OF GOVERNMENT BY PUBLIC OPINION SURVEY. HOWEVER, IN THIS DAY AND AGE, IT IS NICE TO KNOW THAT THERE IS STRONG SUPPORT FOR DOING WHAT IS RIGHT IN CLEANING UP AIR POLLUTION.

HOW THEN WILL THESE TWO SIDES BE RESOLVED?

IN THE FIRST PLACE, FAR TOO OFTEN IN WASHINGTON, THE PERSONAL STAKES OF THIS LEGISLATION ARE LOST IN THE EUPHEMISMS OF POLITICIANS AND LOBBYISTS. WE MUST CLEAR AWAY THAT SMOKE SCREEN AND TALK IN REAL TERMS ABOUT HEALTH AND HUMAN LIVES.

FOR EXAMPLE, WHEN WE TALK OF PRIMARY AIR STANDARDS PROTECTING SENSITIVE POPULATIONS, WE ARE NOT TALKING ABOUT A FIVE PERCENT BLIP ON A POPULATION CURVE.

WE ARE TALKING ABOUT 12 MILLION LIVING AND, I HOPE, BREATHING PEOPLE. WE ARE TALKING ABOUT A 67 YEAR OLD WIDOW ON SOCIAL SECURITY. WITH REASONABLY CLEAN AIR, SHE MAY LIVE ANOTHER 20 YEARS. WITHOUT, SHE MAY LIVE 10.

WE ARE TALKING ABOUT AN 18 MONTH OLD INFANT WITH DEVELOPING LUNGS THAT ARE PARTICULARLY SENSITIVE TO THE HAZARDS OF AIR-BORNE POLLUTION.

WE ARE TALKING ABOUT A RETIRED RANCHER SUFFERING FROM ANGINA WHO IS FORCED TO STAY INDOORS BECAUSE OF FOULED AIR.

PUT IN THOSE TERMS, I THINK YOU WILL AGREE THAT GLIB TALK OF COST-BENEFIT ANALYSIS IS A BUNCH OF BUNK. I HAVE YET TO SEE THE

ACTUARIAL TABLE THAT PUTS A DOLLAR FIGURE ON MY LIFE I WOULD SIGN OFF ON. I'M SURE THE SAME IS TRUE FOR YOU.

THOSE WHO ARGUE TO THE CONTRARY, NO MATTER HOW SMOOTH, NO MATTER HOW WELL FINANCED, NO MATTER HOW MANY CHARTS AND GRAPHS THEY CARRY, ARE THE REAL RADICALS IN THIS DEBATE.

GIVEN THAT STARTING POINTS, LET'S STAND BACK FOR A MOMENT AND LOOK AT THE CLEAN AIR ACT IN LIGHT OF 10 YEARS OF EXPERIENCE.

IN FACT, THE ACT HAS ITS PROBLEMS. IT IS COMPLEX. IT IS EXPENSIVE. IT IS ^{OCCASIONALLY} INEFFECTIVE ~~IN SOME INSTANCES~~.

RECOGNIZING THOSE PROBLEMS, I FAVOR AMENDMENTS TO STREAMLINE CUMBERSOME, INEFFECTIVE REGULATORY MECHANISMS. I WILL SUPPORT STRENGTHENING THE STATES' ROLE IN MANAGING AIR RESOURCES. I WILL VOTE FOR CHANGE THAT REFLECTS OUR IMPROVED SCIENTIFIC KNOWLEDGE OF AIR POLLUTION.

WHILE TIME IS TOO SHORT FOR A SECTION BY SECTION ANALYSIS, LET'S LOOK AT A FEW SPECIFIC ISSUES.

THE FIRST AND MOST CONTROVERSIAL IS THE PSD OR PREVENTION OF SIGNIFICANT DETERIORATION PROGRAM. THE IMPOSING TANGLE OF RED TAPE ASSOCIATED WITH PSD MUST BE STRAIGHTENED OUT IF THE PROGRAM IS TO BE RETAINED.

THE IDEA OF BUDGETING OUR AIR RESOURCES REMAINS SOUND AND WE HAVE SEEN THE BENEFITS OF THIS PROGRAM RIGHT HERE IN MONTANA. HOWEVER, TO DEMAND THE TRACKING OF SHORT TERM INCREMENT CONSUMPTION IS THE TYPE OF REQUIREMENT WHICH GENERATES A GREAT DEAL OF FRUSTRATION AND VERY LITTLE CLEAN AIR.

I'M ALSO ANXIOUS TO ADDRESS THE PROBLEM OF ACID RAIN. ALREADY A VARIETY OF PROPOSALS HAVE BEEN INTRODUCED BY SENATORS FROM NEW ENGLAND. I BELIEVE, HOWEVER, THAT THIS IS AN ISSUE

WHICH MUST NOT BE THOUGHT OF AS REGIONAL ONLY.

~~IN FACT~~, AT A SYMPOSIUM I CO-SPONSORED AT THE YELLOW BAY RESEARCH CENTER, ~~THAT MESSAGE WAS BROUGHT HOME~~. SCIENTISTS FROM MONTANA AND OTHER ROCKY MOUNTAIN STATES OUTLINED THE THREAT TO WESTERN STREAMS AND LAKES IMPOSED BY ACID RAIN.

THUS, WHILE OUR KNOWLEDGE IS NOT PERFECT, I CANNOT GO ALONG WITH THOSE WHO URGE YEARS OF ADDITIONAL STUDY. I BELIEVE ACTION MUST BE TAKEN TO REDUCE EMISSIONS OF SULPHUR DIOXIDE AND NITROGEN OXIDES, THE PRECURSORS OF ACID RAIN.

THE CONTROL OF HAZARDOUS POLLUTANTS IS ANOTHER MATTER THAT REQUIRES A POSITIVE RESPONSE. SINCE 1970, ONLY 7 POLLUTANTS HAVE BEEN LISTED UNDER SECTION 112 OF THE ACT. WITH DOZENS OF NEW AND EXOTIC SUBSTANCES POURING INTO OUR AIR EVERY YEAR, NO ONE CAN ~~DISAGREE~~ SAY THAT THIS SNAILS PACE IS ACCEPTABLE.

EPA MUST BE GIVEN THE STATUTORY TOOLS TO ACCELERATE ITS IDENTIFICATION AND LISTING OF TOXIC POLLUTANTS. AUTHORITY TO ESTABLISH ECONOMIC, READILY AVAILABLE CONTROL MEASURES FOR SUCH POLLUTANTS SHOULD BE PROVIDED QUICKLY.

ON THE ISSUE OF PERCENT REDUCTION, I BELIEVE THAT A CAREFUL EXAMINATION MUST BE MADE OF THE AIR QUALITY BENEFITS WHICH THIS REQUIREMENT IS BUYING FOR US. I BELIEVE THAT A COMPROMISE POSITION MAY BE AVAILABLE WHICH WILL RECOGNIZE THE BENEFITS OF SCRUBBING IN SOME AREAS WITHOUT REQUIRING REDUNDANT CONTROL TECHNOLOGIES ELSEWHERE.

UNQUESTIONABLY, DOZENS OF OTHER AMENDMENTS WILL BE PROPOSED IN AREAS SUCH AS AUTOMOTIVE EMISSIONS, NON-ATTAINMENT AIR SHEDS, AND TECHNOLOGY REQUIREMENTS.

WHILE I LOOK FORWARD TO REVIEWING THESE PROPOSALS, I AM

CONVINCED THAT THEY MUST BE LOOKED AT IN THE AGGREGATE.

AMENDMENTS CAN EASILY BE SEEN AS MODEST REVISIONS WHEN TAKEN SEPARATELY. TOGETHER, HOWEVER, THEY CAN TOPPLE THE ENTIRE FRAMEWORK FOR CLEAN AIR IN THIS COUNTRY.

THIS THEN IS THE CHALLENGE: NOW IS THE TIME, AND THE DEBATE OF THE CLEAN AIR ACT IS THE PLACE, TO STAND AND HOLD THE GROUND WHICH WE WON IN THE 1970s. REASONABLE AMENDMENTS ARE IN ORDER. EMASCULATION OF THE CLEAN AIR ACT IS NOT.

MONTANA'S CONSTITUTION SAYS IT ALL. "ALL PERSONS ARE BORN FREE AND HAVE CERTAIN INALIENABLE RIGHTS. THEY INCLUDE THE RIGHT TO A CLEAN AND HEALTHFUL ENVIRONMENT." SURELY THAT IS A FIGHT WORTH JOINING. I LOOK FORWARD TO YOUR SUPPORT.

THANK YOU.